LOCAL VESSELS ADVISORY COMMITTEE Sub-committees on Classes III Vessels

Amendment to Rules associated with Local Certificate of Competency

Purpose

This paper seeks the views of member on the proposals to amend the Merchant Shipping (Local Vessels) (Local certificates of Competency) Rules, Schedule 2 endorsements on local certificates of competency.

Background

2. Since 2004, Marine Department and Mainland authority have mutually recognized the fishing vessel master or engineer certificates of competency (CoC) issued by the two Administrations. The recognition applies to HK licensed Class III fishing vessels registered as a "Guangdong/Hong Kong mobile fishing vessel" in the Mainland when they operate within the Guangdong waters. Due to the entry into force of the "Measures of the People's Republic of China for the Administration of Seaman in the Fishery Industry" on 1 January 2015, the previous Fishery Vessel Officer's Certificates issued by the recognized authority is being phased out gradually, eventually ceased effective by 31 December 2019 and replace by the new Fishery Vessel Personnel Certificates.

Proposals

3. To continue the arrangement on recognizing the CoC issued by the Mainland authority under the new Measures, the equivalent grading of local certificates issued under Merchant Shipping (Local Vessels) Ordinance, Cap 548 is prepared at Annex 1.

4. The amendment to Schedule 2 "Endorsements on Local Certificates of Competency" of the Merchant Shipping (Local Vessels) (Local Certificates of Competency) Rules is proposed at Annex 2.

Advice Sought

5. Members are invited to give their views on the proposed amendment.

Shipping Division Marine Department April 2017

People's Republic of China Fishing Vessel Personnel Certificate issued by the Guangdong Provincial Marine and Fisheries Inspection Bureau Conversion table of the length / power of the fishing vessel

People's Republic of China Fishing Vessel Personnel Certificate			Guangdong/ Hong Kong mobile fishing vessels issued under local certificates of competency	
Types	Posts	Grades	Applicable to Fishing Vessels in Mainland Waters	Applicable to Fishing Vessels in Hong Kong Waters
Proposed a	arrangement			
		Grade 1	Fishing vessel of length 45 m or more	Class III fishing vessel, fish carrier, or fishing sampan of length overall less than 50 m
	Master	Grade 2	Fishing vessel of length less than 45 m	Class III fishing vessel, fish carrier, or fishing sampan of length overall less than 45 m
		Grade 3	Fishing vessel of length less than 24 m	Class III fishing vessel, fish carrier, or fishing sampan of length overall less than 24 m
Seagoing	Seagoing		Fishing Vessel with total main propulsion engine power 750 kW or more	Class III fishing vessel, fish carrier, or fishing sampan with total main propulsion engine power less than 3 000 kW
	Engineer	Grade 2	Fishing Vessel with total main propulsion engine power less than 750 kW	Class III fishing vessel, fish carrier, or fishing sampan with total main propulsion engine power less than 750 kW
		Grade 3	Fishing Vessel with total main propulsion engine power less than 250 kW	Class III fishing vessel, fish carrier, or fishing sampan with total main propulsion engine power less than 250 kW

Merchant Shipping (Local Vessels) (Local Certificates of Competency) Rules

No.	Original Context	Proposed Amendments	Reason(s) for Proposed
			Amendments
Updates or I	New Measures		
Schedule 2			(Updated)
Item	Local certificate of competency	Local certificate of competency	
1.	Coxswain Grade 3 Certificate	Coxswain Grade 3 Certificate	
	Endorsements	Endorsements	
	(g) The holder of this certificate is	(g) The holder of this certificate is restricted to	
	restricted to act as the coxswain of a	act as the coxswain of a Class III fishing	
	Class III fishing vessel, fish carrier, or	vessel, fish carrier, or fishing sampan which	
	fishing sampan which is a	is a Guangdong/Hong Kong mobile fishing	
	Guangdong/Hong Kong mobile fishing	vessel subject to the following conditions:	
	vessel subject to the following	(i) The holder of this certificate shall	The name of certificate and
	conditions:	present his "recognized certificate",	issuing authority to be updated.
	(i) The holder of this certificate shall	which is a valid Fishing Vessel	
	present his "recognized certificate",	Personnel Certificate (Grade 1 Master)	
	which is a valid Type A (Restricted	issued by the Guangdong Provincial	
	Waters) Grade 3 (Master) Fishery	Marine and Fisheries Inspection	
	Vessel Officer's Certificate issued	Bureau, to authorized officer for	
	by the Bureau of Fishing Port	inspection;	

Superintendence of Guangdong,	(ii) overall length of the vessel is less than	To in line with the "recognized
PRC, to authorized officer for	50 m; and	certificate", the wording is
inspection;	(iii) this certificate expires on the expiry	changed from "not more" to
(ii) overall length of the vessel is not	date of the "recognized certificate"	"less".
more than 50 m; and	stated in sub-paragraph (i) of this	1055 .
(iii) this certificate expires on the expiry	paragraph.	
date of the "recognized certificate"	(h) The holder of this certificate is restricted to	
stated in sub-paragraph (i) of this	act as the coxswain of a Class III fishing	
paragraph.	vessel, fish carrier, or fishing sampan which	
	is a Guangdong/Hong Kong mobile fishing	
restricted to act as the coxswain of a	vessel subject to the following conditions:	
Class III fishing vessel, fish carrier, or	(i) The holder of this certificate shall	The name of certificate and
fishing sampan which is a	present his "recognized certificate",	issuing authority to be updated.
Guangdong/Hong Kong mobile fishing	which is a valid Fishing Vessel	
vessel subject to the following	Personnel Certificate (Grade 2 Master)	
conditions:	issued by the Guangdong Provincial	
(i) The holder of this certificate shall	Marine and Fisheries Inspection	
present his "recognized certificate",	Bureau, to authorized officer for	
which is a valid Type A (Restricted	inspection;	
Waters) Grade 4 (Master) Fishery	(ii) overall length of the vessel is less than	To in line with the "recognized
Vessel Officer's Certificate issued	45 m; and	certificate", the limitation is
by the Bureau of Fishing Port	(iii) this certificate expires on the expiry	changed from "not more than
Superintendence of Guangdong,	date of the "recognized certificate"	35 m" to "less than 45 m".
PRC, to authorized officer for	stated in sub-paragraph (i) of this	

increation	paragraph.	
inspection;		
(ii) overall length of the vessel is no		A new endorsement on
more than 35 m; and	act as the coxswain of a Class III fishing	certificate of competency is
(iii) this certificate expires on the expire	vessel, fish carrier, or fishing sampan which	added.
date of the "recognized certificate"	' is a Guangdong/Hong Kong mobile fishing	
stated in sub-paragraph (i) of thi	vessel subject to the following conditions:	
paragraph.	(i) The holder of this certificate shall	
(i) The holder of this certificate shall	present his "recognized certificate",	
comply with the following conditions:	which is a valid Fishing Vessel	
(i) To have a physically fitted person	Personnel Certificate (Grade 3 Master)	
to assist the certificate holder to	issued by the Guangdong Provincial	
perform duties that cannot b	Marine and Fisheries Inspection	
physically carried out by th	-	
certificate holder;	inspection;	
(ii) that person must be briefed by th		
certificate holder about the		
knowledge on emergency handlin		
onboard at the time the person first		
joins the vessel;	stated in sub-paragraph (i) of this	
(iii) evidence showing the agreement o		
that person to perform the dutie		Re-numbering
		Re-numbering
and being briefed of emergency		
handling knowledge must be kep		
onboard for inspection by	Guangdong/Hong Kong mobile fishing	

authorized officer; and	vessel subject to the following conditions:	
(iv) no fare paying passenger is allowed	(i) The holder of this certificate shall	The name of certificate and
onboard.	present his "recognized certificate",	issuing authority to be updated.
(j) The holder of this certificate of this	which is a valid Fishing Vessel	
paragraph is restricted to act as the	Personnel Certificate (Grade 1 Master)	
coxswain of a Class III vessel of not	issued by the Guangdong Provincial	
more than 10 m in length subject to the	Marine and Fisheries Inspection	
following conditions:	Bureau, to authorized officer for	
(i) Another person to perform lookout	inspection;	
duty is required while the	(ii) overall length of the vessel is less than	To in line with the "recognized
certificate holder is plying the	50 m; and	certificate", the wording is
vessel in waters of congested	(iii) this endorsement expires on the expiry	changed from "not more" to
marine traffic such as typhoon	date of the "recognized certificate"	"less".
shelter and anchorage etc.; and	stated in sub-paragraph (i) of this	
(ii) no fare paying passenger is allowed	paragraph.	
onboard.	(k) The holder of this certificate may also act as	Re-numbering
(k) The holder of this certificate may also	the coxswain of a Class III fishing vessel,	
act as the engine operator of a Class III	fish carrier, or fishing sampan which is a	
vessel fitted with petrol outboard	Guangdong/Hong Kong mobile fishing	
engine(s) of aggregate power not more	vessel subject to the following conditions:	
than 90 braked horse power (BHP).	(i) The holder of this certificate shall	The name of certificate and
(l) The holder of this certificate may also	present his "recognized certificate",	issuing authority to be updated.
act as the coxswain of (name, certificate	which is a valid Fishing Vessel	
of ownership number and length overall	Personnel Certificate (Grade 2 Master)	

of the vessel).	issued by the Guangdong Provincial	
(m) The holder of this certificate is not	Marine and Fisheries Inspection	
allowed to operate any vessel-	Bureau, to authorized officer for	
(i) in, near or pass through-	inspection;	
		To in line with the "recognized
(a) fairways used by ocean going	(ii) overall length of the vessel is less than	Ũ
shipping (except in designated	45 m; and	certificate", the limitation is
areas);	(iii) this endorsement expires on the expiry	changed from "not more than
(b) traffic separation schemes; and	date of the "recognized certificate"	35 m" to "less than 45 m".
dynamically supported craft	stated in sub-paragraph (i) of this	
route.	paragraph.	
(ii) from one permitted area to another;	(l) The holder of this certificate may also act as	A new endorsement on
and	the coxswain of a Class III fishing vessel,	certificate of competency is
(iii) in adverse weather conditions.	fish carrier, or fishing sampan which is a	added.
(Note: operators should not	Guangdong/Hong Kong mobile fishing	
commence voyages in fog or when	vessel subject to the following conditions:	
the strong monsoon signal or No. 3	(i) The holder of this certificate shall	
or higher typhoon signal is	present his "recognized certificate",	
hoisted.)	which is a valid Fishing Vessel	
(n) The holder of this certificate may also	Personnel Certificate (Grade 3 Master)	
act as the coxswain of a Class III	issued by the Guangdong Provincial	
fishing vessel, fish carrier, or fishing	Marine and Fisheries Inspection	
sampan which is a Guangdong/Hong	Bureau, to authorized officer for	
Kong mobile fishing vessel subject to	inspection;	
the following conditions:	(ii) overall length of the vessel is less than	

(i) The holder of this certificate shall	24 m; and	
present his "recognized certificate",	(iii) this endorsement expires on the expiry	
which is a valid Type A (Restricted	date of the "recognized certificate"	
Waters) Grade 3 (Master) Fishery	stated in sub-paragraph (i) of this	
Vessel Officer's Certificate issued	paragraph.	
by the Bureau of Fishing Port	(m) The holder of this certificate shall comply	Re-numbering
Superintendence of Guangdong,	with the following conditions:	
PRC, to authorized officer for	(i) To have a physically fitted person to	
inspection;	assist the certificate holder to perform	
(ii) overall length of the vessel is not	duties that cannot be physically carried	
more than 50 m; and	out by the certificate holder;	
(iii) this endorsement expires on the	(ii) that person must be briefed by the	
expiry date of the "recognized	certificate holder about the knowledge	
certificate" stated in sub-paragraph	on emergency handling onboard at the	
(i) of this paragraph.	time the person first joins the vessel;	
(o) The holder of this certificate may also	(iii) evidence showing the agreement of that	
act as the coxswain of a Class III	person to perform the duties and being	
fishing vessel, fish carrier, or fishing	briefed of emergency handling	
sampan which is a Guangdong/Hong	knowledge must be kept onboard for	
Kong mobile fishing vessel subject to	inspection by authorized officer; and	
the following conditions:	(iv) no fare paying passenger is allowed	
(i) The holder of this certificate shall	onboard.	
present his "recognized certificate",	(n) The holder of this certificate of this	Re-numbering
which is a valid Type A (Restricted	paragraph is restricted to act as the	

Waters) Grade 4 (Master) Fishery	coxswain of a Class III vessel of not more	
Vessel Officer's Certificate issued	than 10 m in length subject to the following	
by the Bureau of Fishing Port	conditions:	
Superintendence of Guangdong,	(i) Another person to perform lookout duty	
PRC, to authorized officer for	is required while the certificate holder	
inspection;	is plying the vessel in waters of	
(ii) overall length of the vessel is not	congested marine traffic such as	
more than 35 m; and	typhoon shelter and anchorage etc.; and	
(iii) this endorsement expires on the	(ii) no fare paying passenger is allowed	
expiry date of the "recognized	onboard.	
certificate" stated in sub-paragraph	(o) The holder of this certificate may also act as	Re-numbering
(i) of this paragraph.	the engine operator of a Class III vessel	C
(p) The holder of this certificate may also	fitted with petrol outboard engine(s) of	
act as the Coxswain of a Class III vessel	aggregate power not more than 90 braked	
in excess of 15 m in length.	horse power (BHP).	
	(p) The holder of this certificate may also act as	Re-numbering
	the coxswain of (name, certificate of	5
	ownership number and length overall of the	
	vessel).	
	(q) The holder of this certificate is not allowed	Re-numbering
	to operate any vessel-	
	(i) in, near or pass through-	
	(a) fairways used by ocean going	
	shipping (except in designated	

		areas);	
		(b) traffic separation schemes; and	
		dynamically supported craft route.	
		(ii) from one permitted area to another; and	
		(iii) in adverse weather conditions.	
		(Note: operators should not commence	
		voyages in fog or when the strong	
		monsoon signal or No. 3 or higher	
		typhoon signal is hoisted.)	
		(r) The holder of this certificate may also act as	Re-numbering
		the Coxswain of a Class III vessel in excess	
		of 15 m in length.	
Schedule 2			(Updated)
Item	Local certificate of competency	Local certificate of competency	
6.	Engine Operator Grade 3 Certificate	Engine Operator Grade 3 Certificate	
	Endorsements	Endorsements	
	(c) The holder of this certificate is	(c) The holder of this certificate is restricted to	
	restricted to act as the engine operator	act as the engine operator of a Class III	
	of a Class III fishing vessel, fish carrier,	fishing vessel, fish carrier, or fishing	
	or fishing sampan which is a	sampan which is a Guangdong/Hong Kong	
	Guangdong/Hong Kong mobile fishing	mobile fishing vessel subject to the	
	vessel subject to the following	following conditions:	
	conditions:	(i) The holder of this certificate shall	The name of certificate and

(i) The holder of this certificate shall	present his "recognized certificate",	issuing authority to be updated.
present his "recognized certificate",	which is a valid Fishing Vessel	
which is a valid Type A (Restricted	Personnel Certificate (Grade 1 Chief	
Waters) Grade 2 (Chief Engineer)	Engineer) issued by the Guangdong	
Fishery Vessel Officer's Certificate	Provincial Marine and Fisheries	
issued by the Bureau of Fishing	Inspection Bureau, to authorized officer	
Port Superintendence of	for inspection;	
Guangdong, PRC, to authorized	(ii) aggregate power of the vessel is less	To in line with the "recognized
officer for inspection;	than 3 000 kW;	certificate", the wording is
(ii) aggregate power of the vessel is not	(iii) this certificate expires on the expiry	changed from "not exceeding"
exceeding 3 000 kW;	date of the "recognized certificate"	to "less than".
(iii) this certificate expires on the expiry	stated in sub-paragraph (i) of this	
date of the "recognized certificate"	paragraph.	
stated in sub-paragraph (i) of this	(d) The holder of this certificate is restricted to	
paragraph.	act as the engine operator of a Class III	
(d) The holder of this certificate is	fishing vessel, fish carrier, or fishing	
restricted to act as the engine operator	sampan which is a Guangdong/Hong Kong	
of a Class III fishing vessel, fish carrier,	mobile fishing vessel subject to the	
or fishing sampan which is a	following conditions:	
Guangdong/Hong Kong mobile fishing	(i) The holder of this certificate shall	The name of certificate and
vessel subject to the following	present his "recognized certificate",	issuing authority to be updated.
conditions:	which is a valid Fishing Vessel	
(i) The holder of this certificate shall	Personnel Certificate (Grade 2 Chief	
present his "recognized certificate",	Engineer) issued by the Guangdong	

which is a valid Ty	be A (Restricted	Provincial Marine and Fisheries	
Waters) Grade 3 (Chief Engineer)	Inspection Bureau, to authorized officer	
Fishery Vessel Offi	cer's Certificate	for inspection;	
issued by the Bur	eau of Fishing	(ii) aggregate power of the vessel is less	To in line with the "recognized
Port Superinte	indence of	than 750 kW;	certificate", the wording is
Guangdong, PRC,	to authorized	(iii) this certificate expires on the expiry	changed from "not exceeding"
officer for inspectio	n;	date of the "recognized certificate"	to "less than".
(ii) aggregate power of	the vessel is not	stated in sub-paragraph (i) of this	
exceeding 750 kW;		paragraph.	
(iii) this certificate expir	es on the expiry (e)) The holder of this certificate is restricted to	
date of the "recogn	ized certificate"	act as the engine operator of a Class III	
stated in sub-parag	raph (i) of this	fishing vessel, fish carrier, or fishing	
paragraph.		sampan which is a Guangdong/Hong Kong	
(e) The holder of this	certificate is	mobile fishing vessel subject to the	
restricted to act as the	engine operator	following conditions:	
of a Class III fishing ves	ssel, fish carrier,	(i) The holder of this certificate shall	The name of certificate and
or fishing sampan	which is a	present his "recognized certificate",	issuing authority to be updated.
Guangdong/Hong Kong	mobile fishing	which is a valid Fishing Vessel	
vessel subject to	the following	Personnel Certificate (Grade 3 Chief	
conditions:		Engineer) issued by the Guangdong	
(i) The holder of this	certificate shall	Provincial Marine and Fisheries	
present his "recogni	zed certificate",	Inspection Bureau, to authorized officer	
which is a valid Ty	be A (Restricted	for inspection;	
Waters) Grade 4 (Chief Engineer)	(ii) aggregate power of the vessel is less	To in line with the "recognized

Fishery Vessel Officer's Certificate	than 250 kW;	certificate", the wording is
issued by the Bureau of Fishing	(iii) this certificate expires on the expiry	changed from "not exceeding"
Port Superintendence of	date of the "recognized certificate"	to "less than".
Guangdong, PRC, to authorized	stated in sub-paragraph (i) of this	
officer for inspection;	paragraph.	
(ii) aggregate power of the vessel is not	(f) The holder of this certificate may also act as	
exceeding 250 kW;	the engine operator of a Class III fishing	
(iii) this certificate expires on the expiry	vessel, fish carrier, or fishing sampan which	
date of the "recognized certificate"	is a Guangdong/Hong Kong mobile fishing	
stated in sub-paragraph (i) of this	vessel subject to the following conditions:	
paragraph.	(i) The holder of this certificate shall	The name of certificate and
(f) The holder of this certificate may also	present his "recognized certificate",	issuing authority to be updated.
act as the engine operator of a Class III	which is a valid Fishing Vessel	
fishing vessel, fish carrier, or fishing	Personnel Certificate (Grade 1 Chief	
sampan which is a Guangdong/Hong	Engineer) issued by the Guangdong	
Kong mobile fishing vessel subject to	Provincial Marine and Fisheries	
the following conditions:	Inspection Bureau, to authorized officer	
(i) The holder of this certificate shall	for inspection;	
present his "recognized certificate",	(ii) aggregate power of the vessel is less	To in line with the "recognized
which is a valid Type A (Restricted	than 3 000 kW;	certificate", the wording is
Waters) Grade 2 (Chief Engineer)	(iii) this endorsement expires on the expiry	changed from "not exceeding"
Fishery Vessel Officer's Certificate	date of the "recognized certificate"	to "less than".
issued by the Bureau of Fishing	stated in sub-paragraph (i) of this	
	paragraph.	

	Guangdong, PRC, to authorized	(g)	The holder of this certificate may also act as	A new	endorsement o	on
	officer for inspection;	(0)	the engine operator of a Class III fishing		of competency	is
	(ii) aggregate power of the vessel is not		vessel, fish carrier, or fishing sampan which	added.	1 5	
	exceeding 3 000 kW;		is a Guangdong/Hong Kong mobile fishing			
	(iii) this endorsement expires on the		vessel subject to the following conditions:			
	expiry date of the "recognized		(i) The holder of this certificate shall			
	certificate" stated in sub-paragraph		present his "recognized certificate",			
	(i) of this paragraph.		which is a valid Fishing Vessel			
(g)	The holder of this certificate may also		Personnel Certificate (Grade 2 Chief			
	act as the engine operator of a Class III		Engineer) issued by the Guangdong			
	fishing vessel with engine(s) (without		Provincial Marine and Fisheries			
	restrictions).		Inspection Bureau, to authorized officer			
			for inspection;			
			(ii) aggregate power of the vessel is less			
			than 750 kW;			
			(iii) this endorsement expires on the expiry			
			date of the "recognized certificate"			
			stated in sub-paragraph (i) of this			
			paragraph.			
		(h)	The holder of this certificate may also act as	A new		on
			the engine operator of a Class III fishing		of competency	is
			vessel, fish carrier, or fishing sampan which	added.		
			is a Guangdong/Hong Kong mobile fishing			
			vessel subject to the following conditions:			

(i) The holder of this certificate shall	
present his "recognized certificate",	
which is a valid Fishing Vessel	
Personnel Certificate (Grade 2 Chief	
Engineer) issued by the Guangdong	
Provincial Marine and Fisheries	
Inspection Bureau, to authorized officer	
for inspection;	
(ii) aggregate power of the vessel is less	
than 750 kW;	
(iii) this endorsement expires on the expiry	
date of the "recognized certificate"	
stated in sub-paragraph (i) of this	
paragraph.	
(i) The holder of this certificate may also act	Re-numbering
as the engine operator of a Class III fishing	
vessel with engine(s) (without restrictions).	